

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTY-THIRD LEGISLATURE

THIRTIETH LEGISLATIVE DAY
TUESDAY, FEBRUARY 10, 2015

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 69 members present.

Absent – Packer. Total – 1.

Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Audra Curtis, Page.

3RD ORDER

Approval of Journal

February 10, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Twenty-ninth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

4TH ORDER

Consideration of Messages from the Governor and the Senate

February 9, 2015

Mr. Speaker:

I transmit herewith [SCR 101](#) and [S 1021](#) which have passed the Senate.

NOVAK, Secretary

[SCR 101](#) and [S 1021](#) were filed for first reading.

February 9, 2015

Mr. Speaker:

I return herewith [H 27](#) and [H 28](#) which have passed the Senate.

NOVAK, Secretary

[H 27](#) and [H 28](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

5TH ORDER

Report of Standing Committees

February 10, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 96](#) and [H 97](#).

WILLS, Chairman

[H 96](#) was referred to the Transportation and Defense Committee.

[H 97](#) was referred to the Education Committee.

February 10, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 40](#) to the Governor at 11:10 a.m., as of this date, February 9, 2015.

WILLS, Chairman

February 9, 2015

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 46](#) and recommend that it do pass.

WOOD, Chairman

[H 46](#) was filed for second reading.

February 9, 2015

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [HJM 1](#) and [HJM 2](#) and recommend that they do pass.

LOERTSCHER, Chairman

[HJM 1](#) and [HJM 2](#) were filed for second reading.

February 9, 2015

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 59](#) and recommend that it do pass.

BARBIERI, Chairman

[H 59](#) was filed for second reading.

February 9, 2015

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 78](#) and recommend that it do pass.

HARTGEN, Chairman

[H 78](#) was filed for second reading.

February 9, 2015

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 82](#) and recommend that it do pass.

WILLS, Chairman

[H 82](#) was filed for second reading.

February 10, 2015

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 33](#) and recommend that it do pass.

WOOD, Chairman

[H 33](#) was filed for second reading.

February 10, 2015

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 76](#) and [H 85](#) and recommend that they do pass.

COLLINS, Chairman

[H 76](#) and [H 85](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

7TH ORDER

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 5 BY HEALTH AND WELFARE COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND RECOGNIZING AMERICAN DIABETES MONTH IN NOVEMBER AND SUPPORTING THE GOALS AND IDEALS OF AMERICAN DIABETES MONTH.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, an estimated 100,000 Idaho adults or 8.4% of the adult population live with diabetes; and

WHEREAS, an estimated 84,000 Idaho adults or 7.5% of the adult population live with prediabetes; and

WHEREAS, an estimated 1,500 mothers in Idaho, or 8% of mothers annually, live with gestational diabetes during pregnancy; and

WHEREAS, diabetes is the seventh leading cause of death in Idaho; and

WHEREAS, about one-third of Idaho adults living with diabetes do not know they have the disease; and

WHEREAS, the direct medical cost of diagnosed cases of diabetes in Idaho is estimated at more than \$172 million annually; and

WHEREAS, improperly managed diabetes often leads to costly diabetes-related complications; and

WHEREAS, once identified, these diabetes-related complications have a tremendous impact and exact a substantial toll on Idaho's Medicaid program and on Idaho health insurers; and

WHEREAS, with affordable access to appropriate medications, supplies and services, patients' lives are improved by a reduced risk of diabetes-related complications, including a decreased risk of heart disease, lower-extremity amputation rates, fewer cases of blindness, reduced need for additional costly medical interventions, and fewer emergency room visits and hospitalizations; and

WHEREAS, most diabetes can be prevented or delayed if a range of risk factors is eliminated, particularly physical inactivity, unhealthy diets, tobacco use and alcohol misuse; and

WHEREAS, numerous studies demonstrate that diabetes treatments and therapies improve diabetes control and reduce the incidence of complications due to diabetes, while significantly reducing the costs to public and private health insurance programs; and

WHEREAS, with affordable access to evidence-based, community-based diabetes prevention programs, several large randomized controlled clinical trials have proven conclusively that many people with prediabetes can prevent or significantly delay the onset of type 2 diabetes; and

WHEREAS, with proper management and treatment, individuals with diabetes live healthy, productive lives; and

WHEREAS, collaboration between diabetes educators in accredited and recognized programs and the patients continues to demonstrate positive clinical quality outcomes and cost savings; and

WHEREAS, repeated Diabetes Self-Management Education encounters over time result in a dose-response effect on positive outcomes; and

WHEREAS, the Idaho Diabetes Prevention and Control Program works with the Diabetes Alliance of Idaho and partners across health care and public health to raise awareness of prediabetes, help improve the quality of care for people with diabetes, and promote diabetes prevention and self-management education; and

WHEREAS, individuals in the United States celebrate American Diabetes Month in November.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixty-third Idaho Legislature, the House of Representatives and the Senate concurring therein, that we support the goals and ideals of American Diabetes Month, including encouraging individuals in the United States to fight diabetes through public awareness of prevention and treatment options; and enhancing diabetes education; and we recognize the importance of early detection, awareness of the symptoms, and understanding the risk factors of diabetes, including being over the age of forty-five; having a specific racial and ethnic background; being overweight; having a low level of physical activity; having high blood pressure; and having a family history of diabetes or a history of diabetes during pregnancy; and we support decreasing the prevalence of type 1, type 2, and gestational diabetes in Idaho and the United States through increased research, treatment and prevention.

BE IT FURTHER RESOLVED that people with diabetes, their families and friends and health care professionals in Idaho be urged to utilize the month of November to increase awareness and understanding of diabetes so that in the future, people with diabetes will be better able to care for their own needs and others will be better prepared to serve the needs of people with diabetes.

[HCR 5](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[SCR 101](#), by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

8TH ORDER

Introduction, First Reading, and Reference of Bills and Joint Resolutions

HOUSE BILL NO. 98 BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO TELEHEALTH SERVICES; AMENDING TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 56, TITLE 54, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO PROVIDE LEGISLATIVE FINDINGS, TO DEFINE TERMS, TO PROVIDE REQUIREMENTS FOR LICENSURE AND TO DEFINE THE SCOPE OF PRACTICE FOR TELEHEALTH SERVICES, TO PROVIDE THAT A PATIENT-PROVIDER RELATIONSHIP SHALL BE ESTABLISHED UNDER CERTAIN CIRCUMSTANCES, TO CLARIFY REQUIREMENTS FOR PATIENT EVALUATION AND TREATMENT, TO PROVIDE REQUIREMENTS RELATING TO PRESCRIPTION DRUG ORDERS, TO PROVIDE THAT PATIENTS USING TELEHEALTH SERVICES MUST GIVE INFORMED CONSENT, TO PROVIDE THAT CONTINUING CARE SHALL BE MADE AVAILABLE TO PATIENTS, TO REQUIRE THAT PROVIDERS OF TELEHEALTH SERVICES SHALL HAVE ACCESS TO CERTAIN MEDICAL RESOURCES, TO REQUIRE THAT PROVIDERS KEEP CERTAIN RECORDS AND MAKE THEM AVAILABLE TO CERTAIN

PERSONS, TO PROVIDE THAT CERTAIN BOARDS MAY SUBJECT PROVIDERS OF TELEHEALTH SERVICES TO PROFESSIONAL DISCIPLINE AND TO GRANT RULEMAKING AUTHORITY TO CERTAIN BOARDS.

HOUSE BILL NO. 99
BY BUSINESS COMMITTEE
 AN ACT

RELATING TO BANKING; REPEALING SECTION 26-304, IDAHO CODE, RELATING TO BANK FACILITIES POWERS; REPEALING SECTION 26-308, IDAHO CODE, RELATING TO PRIORITY FOR BANK FACILITIES; REPEALING SECTION 26-310, IDAHO CODE, RELATING TO AN INVESTIGATION FEE; REPEALING SECTION 26-508, IDAHO CODE, RELATING TO REMOVAL OF DIRECTORS, OFFICERS, OR EMPLOYEES; REPEALING SECTION 26-509, IDAHO CODE, RELATING TO ENGAGING IN UNSAFE OR UNSOUND PRACTICES; REPEALING SECTION 26-1108, IDAHO CODE, RELATING TO FAILURE TO TRANSMIT REPORTS; REPEALING SECTION 26-1117, IDAHO CODE, RELATING TO THE POWER OF THE COURT TO GRANT RELIEF; REPEALING SECTION 26-1716, IDAHO CODE, RELATING TO CEASE AND DESIST BY BANKS; REPEALING SECTION 26-2609, IDAHO CODE, RELATING TO PENALTIES; REPEALING SECTION 26-3603, IDAHO CODE, RELATING TO ADMINISTRATIVE ORDERS; REPEALING SECTION 26-3606, IDAHO CODE, RELATING TO REMOVAL OF DIRECTORS, OFFICERS AND EMPLOYEES; AMENDING SECTION 26-106, IDAHO CODE, TO ADD AND REVISE DEFINITIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-202, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE AUTHORIZATION NECESSARY TO DO BUSINESS; AMENDING SECTION 26-209, IDAHO CODE, TO REVISE THE TIME OF THE ANNUAL MEETING; AMENDING SECTION 26-211, IDAHO CODE, TO REVISE STOCK TRANSFER REQUIREMENTS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 26-301, IDAHO CODE, TO REVISE REQUIREMENTS FOR BRANCH BANKS; REPEALING SECTION 26-302, IDAHO CODE, RELATING TO AUTHORIZATION FOR ESTABLISHMENT OF BANK FACILITIES; AMENDING CHAPTER 3, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-302, IDAHO CODE, TO PROVIDE FOR THE ESTABLISHMENT OF LOAN PRODUCTION OFFICES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-303, IDAHO CODE, TO REVISE PROVISIONS RELATING TO LOAN PRODUCTION OFFICES AND MOBILE AND TEMPORARY FACILITIES; AMENDING SECTION 26-305, IDAHO CODE, TO REVISE PROVISIONS RELATING TO RESPONSIBILITY OF A BANK; AMENDING SECTION 26-306, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MOBILE OR TEMPORARY FACILITIES; AMENDING SECTION 26-707, IDAHO CODE, TO REVISE PROVISIONS RELATING TO REAL ESTATE HOLDINGS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 26-1104, IDAHO CODE, TO REVISE PROVISIONS RELATING TO FEES; REPEALING SECTION 26-1114, IDAHO CODE, RELATING TO REMOVAL OF DIRECTORS, OFFICERS, OR EMPLOYEES; AMENDING CHAPTER 11, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-1114, IDAHO CODE, TO PROVIDE FOR THE SUSPENSION OR REMOVAL OF DIRECTORS, OFFICERS OR EMPLOYEES

AND TO PROHIBIT FUTURE EMPLOYMENT IN CERTAIN CIRCUMSTANCES; REPEALING SECTION 26-1115, IDAHO CODE, RELATING TO ENGAGING IN UNSAFE OR UNSOUND PRACTICES; AMENDING CHAPTER 11, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-1115, IDAHO CODE, TO PROVIDE FOR CEASE AND DESIST ORDERS AND PENALTIES; REPEALING SECTION 26-1116, IDAHO CODE, RELATING TO CIVIL ENFORCEMENT; AMENDING CHAPTER 11, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-1116, IDAHO CODE, RELATING TO CIVIL ENFORCEMENT; REPEALING SECTION 26-1202, IDAHO CODE, RELATING TO ADVERTISING BY UNAUTHORIZED BANK; AMENDING CHAPTER 12, TITLE 26, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 26-1202, IDAHO CODE, TO PROVIDE FOR UNAUTHORIZED USE OF A NAME AND WAIVER BY THE DIRECTOR OF THE DEPARTMENT OF FINANCE; AMENDING SECTION 26-1219, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ADVERTISING OF BRANCHES; AMENDING SECTION 26-1602, IDAHO CODE, TO REVISE PROVISIONS RELATING TO STATEMENT OF PURPOSE; AMENDING SECTION 26-1604, IDAHO CODE, TO REVISE PROVISIONS REGARDING MERGER AND BRANCHING APPROVAL; AND AMENDING SECTION 26-1605, IDAHO CODE, TO REVISE CONDITIONS WHERE THE DIRECTOR OF THE DEPARTMENT OF FINANCE SHALL NOT APPROVE THE ACQUISITION OF A BANK.

HOUSE BILL NO. 100
BY COMMERCE AND HUMAN RESOURCES
COMMITTEE
 AN ACT

RELATING TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM; AMENDING SECTION 59-1342, IDAHO CODE, TO REVISE PROVISIONS RELATING TO COMPUTATION OF CERTAIN SERVICE RETIREMENT ALLOWANCES AS THEY RELATE TO THE IDAHO LEGISLATURE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 59-1346, IDAHO CODE, TO REVISE PROVISIONS RELATING TO COMPUTATION OF CERTAIN EARLY RETIREMENT ALLOWANCES AS THEY RELATE TO THE IDAHO LEGISLATURE.

HOUSE BILL NO. 101
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO CRIMINAL PROCEDURE; REPEALING SECTION 18-707, IDAHO CODE, RELATING TO REFUSING ASSISTANCE TO OFFICERS; AND REPEALING SECTION 49-230, IDAHO CODE, RELATING TO TAMPERING WITH VEHICLE.

HOUSE BILL NO. 102
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO CURFEWS; AMENDING SECTION 20-549, IDAHO CODE, TO REVISE THE PENALTY FOR A JUVENILE CURFEW VIOLATION.

HOUSE BILL NO. 103
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-1401, IDAHO CODE, TO PROVIDE THAT CERTAIN VIOLATIONS SHALL BE AN INFRACTION; AMENDING SECTION 36-1402, IDAHO CODE, TO PROVIDE PENALTIES FOR CERTAIN INFRACTIONS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 36-1404, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 36-1101, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 104
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO DEBRIS; AMENDING SECTION 18-3906, IDAHO CODE, TO REVISE THE PENALTY FOR PLACING DEBRIS ON A HIGHWAY AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 18-7031, IDAHO CODE, TO REVISE THE PENALTY FOR PLACING DEBRIS ON PUBLIC OR PRIVATE PROPERTY.

HOUSE BILL NO. 105
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
 AN ACT

RELATING TO FIREWORKS; AMENDING SECTION 39-2609, IDAHO CODE, TO PROVIDE PENALTIES FOR A FIREWORKS VIOLATION; AND AMENDING SECTION 39-2613, IDAHO CODE, TO PROVIDE A CODE REFERENCE.

HOUSE BILL NO. 106
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO FOOD SAFETY; AMENDING SECTION 39-1602, IDAHO CODE, TO DEFINE TERMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 39-1604, IDAHO CODE, TO EXEMPT HOME KITCHEN OPERATIONS FROM LICENSING REQUIREMENTS; AND AMENDING CHAPTER 16, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1608, IDAHO CODE, TO PROVIDE THAT HOME KITCHEN OPERATIONS MAY SELL COTTAGE FOODS AT CERTAIN VENUES, TO PROVIDE THAT HOME KITCHEN OPERATIONS MAY SELL COTTAGE FOODS TO IDAHO RESIDENTS ONLINE OR BY MAIL, TO PROVIDE THAT COTTAGE FOODS SHALL BE SOLD WITH LABELS THAT INCLUDE CERTAIN INFORMATION AND TO PROVIDE THAT VIOLATIONS OF THIS SECTION SHALL BE SUBJECT TO ENFORCEMENT PROCEEDINGS.

HOUSE BILL NO. 107
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO THE IMMUNIZATION ASSESSMENT BOARD; AMENDING SECTION 1, CHAPTER 283, LAWS OF 2013, TO EXTEND THE SUNSET DATE.

HOUSE BILL NO. 108
BY HEALTH AND WELFARE COMMITTEE
 AN ACT

RELATING TO PHARMACY; AMENDING SECTION 54-1704, IDAHO CODE, TO REVISE LANGUAGE RELATING TO THE PRACTICE OF PHARMACY; AMENDING SECTION 54-1732, IDAHO CODE, TO REVISE LANGUAGE RELATING TO VIOLATIONS AND PENALTIES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1733, IDAHO CODE, TO REVISE LANGUAGE RELATING TO VALID PRESCRIPTION DRUG ORDERS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1733B, IDAHO CODE, TO PROVIDE THAT PRESCRIBERS OR PHARMACISTS MAY PRESCRIBE OPIOID ANTAGONISTS TO CERTAIN PERSONS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A PERSON ACTING IN GOOD FAITH AND EXERCISING REASONABLE CARE MAY ADMINISTER AN OPIOID ANTAGONIST TO A PERSON WHO APPEARS TO BE EXPERIENCING AN OVERDOSE, TO PROVIDE THAT PERSONS PRESCRIBING OR ADMINISTERING OPIOID ANTAGONISTS IN CERTAIN CIRCUMSTANCES SHALL NOT BE LIABLE IN CIVIL OR ADMINISTRATIVE ACTIONS OR SUBJECT TO CRIMINAL PROSECUTION, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE AND THE OFFICE OF DRUG POLICY SHALL DEVELOP AN EDUCATION PROGRAM AND TO DEFINE A TERM; AND AMENDING SECTION 54-1734, IDAHO CODE, TO PROVIDE AN EXCEPTION TO LAWS ON PRESCRIPTION DRUG SALES AND TO MAKE TECHNICAL CORRECTIONS.

HOUSE BILL NO. 109
BY REVENUE AND TAXATION COMMITTEE
 AN ACT

RELATING TO INCOME TAXATION; AMENDING SECTION 63-3022H, IDAHO CODE, TO REVISE THE DEFINITION OF THE TERM "REAL PROPERTY" FOR CAPITAL GAINS PURPOSES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 98](#), [H 99](#), [H 100](#), [H 101](#), [H 102](#), [H 103](#), [H 104](#), [H 105](#), [H 106](#), [H 107](#), [H 108](#), and [H 109](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1021](#), by Education Committee, was introduced, read the first time by title, and referred to the Education Committee.

There being no objection, the House advanced to the Eleventh Order of Business.

11TH ORDER
Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 23](#) retain its place on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

[H 50](#) - OIL AND GAS

[H 50](#) was read the third time at length, section by section, and placed before the House for final consideration.

Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 66.

NAYS – Batt, McMillan, Sims. Total – 3.

Absent – Packer. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 6** passed the House. Title was approved and the bill ordered transmitted to the Senate.

H 8 - PHARMACY BOARD

H 8 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Chew to open debate.

The question being, "Shall **H 8** pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Bateman, Bell, Beyeler, Burtenshaw, Chew, Collins, Dayley, DeMordaunt, Erpelding, Gannon, Gibbs, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, Miller, Moyle, Nielsen, Nye, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 52.

NAYS – Barbieri, Batt, Boyle, Chaney, Cheatham, Clow, Crane, Dixon, Gestrin, Harris, McMillan, Mendive, Monks, Nate, Scott, Shepherd, Sims. Total – 17.

Absent – Packer. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 8** passed the House. Title was approved and the bill ordered transmitted to the Senate.

HCR 4 - TAXES - RULE REJECTED

HCR 4 was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Collins to open debate.

The question being, "Shall **HCR 4** be adopted?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Chew, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gannon, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Jordan, Kauffman, Kerby, King, Kloc, Loertscher, Luker, Malek, McCrostie, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Nye, Palmer, Pence, Perry, Raybould, Redman, Romrell, Rubel, Rudolph, Rusche, Scott, Shepherd, Sims, Smith, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wintrow, Wood, Youngblood, Mr. Speaker. Total – 69.

NAYS – None.

Absent – Packer. Total – 1.

Total – 70.

Whereupon the Speaker declared **HCR 4** adopted and ordered the resolution transmitted to the Senate.

H 77 - INCOME TAX

H 77 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall **H 77** pass?"

Roll call resulted as follows:

AYES – Anderson, Anderst, Andrus, Barbieri, Bateman, Batt, Bell, Beyeler, Boyle, Burtenshaw, Chaney, Cheatham, Clow, Collins, Crane, Dayley, DeMordaunt, Dixon, Erpelding, Gestrin, Gibbs, Harris, Hartgen, Hixon, Holtzclaw, Horman, Kauffman, Kerby, Kloc, Loertscher, Luker, Malek, McDonald, McMillan, Mendive, Miller, Monks, Moyle, Nate, Nielsen, Palmer, Perry, Raybould, Redman, Romrell, Rudolph, Rusche, Scott, Shepherd, Sims, Thompson, Troy, Trujillo, VanOrden, Vander Woude, Wills, Wood, Youngblood, Mr. Speaker. Total – 59.

NAYS – Chew, Gannon, Jordan, King, McCrostie, Nye, Pence, Rubel, Smith, Wintrow. Total – 10.

Absent – Packer. Total – 1.

Total – 70.

Whereupon the Speaker declared that **H 77** passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

16TH ORDER Adjournment

Mr. Moyle moved that the House adjourn until 11:30 a.m., Wednesday, February 11, 2015. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:52 a.m.

SCOTT BEDKE, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk